

Georgia State University College of Law Reading Room

Georgia Business Court Opinions

12-17-2008

Order Denying Defendants' Motion to Dismiss and for More Definite Statement (PJ CANNON)

Alice D. Bonner

Superior Court of Fulton County

Follow this and additional works at: <https://readingroom.law.gsu.edu/businesscourt>

Institutional Repository Citation

Bonner, Alice D., "Order Denying Defendants' Motion to Dismiss and for More Definite Statement (PJ CANNON)" (2008). *Georgia Business Court Opinions*. 68.

<https://readingroom.law.gsu.edu/businesscourt/68>

This Court Order is brought to you for free and open access by Reading Room. It has been accepted for inclusion in Georgia Business Court Opinions by an authorized administrator of Reading Room. For more information, please contact mbutler@gsu.edu.

COPY

FULTON COUNTY SUPERIOR COURT
STATE OF GEORGIA

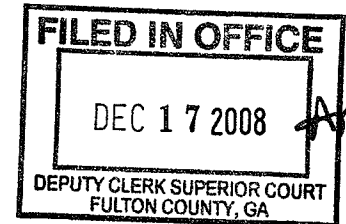
PJ CANNON, HENRY G. NAGEL,)
JOHN COLAGRANDE,)
REBECCA RICHEY, JERRY)
FRANKS (individually and on behalf)
of the Franks Family Trust),)
STEPHEN M. FILREIS,)
EDWARD RUTH, DEBORAH)
KENNICOTT, TURNER LYNN)
HUGHES, LESLIE WILLIAMS,)
CHARLES KELLY, ROGER)
WINANS, MARK HANISEE, and)
CROFT & BENDER, L.L.C.)

PLAINTIFFS,)

v.)

H & R BLOCK, INC., a Missouri)
Corporation; RSM McGLADREY)
BUSINESS SERVICES, INC., f/k/a)
HRB Business Services, Inc., a)
Missouri Corporation, and RSM)
McGLADREY EMPLOYER)
SERVICES, INC., f/k/a)
MyBenefitSource, a Georgia)
Corporation,)

DEFENDANTS.)



CASE NO.: 2007-CV-137010

**ORDER DENYING DEFENDANTS' MOTION TO DISMISS
AND FOR MORE DEFINITE STATEMENT**

This matter is before the Court on Defendants' Motion to Dismiss and for
More Definite Statement. The parties submitted briefs and a hearing was held

before Judge T. Jackson Bedford, Jr. on May 9, 2008. Judge Bedford denied Defendants' Motion but did not enter a written Order to that effect before the case was transferred to the Business Case Division of the Court. After transfer, the parties appeared before this Court on July 24, 2008 for a status and scheduling conference and consented to the entry of an Order denying Defendants' Motion to Dismiss and for More Definite Statement based on Judge Bedford's consideration and without further consideration by this Court.

Therefore, it is HEREBY ORDERED that Defendants' Motion to Dismiss and for More Definite Statement is DENIED.

SO ORDERED this 17 day of ^{Dec.}~~July~~, 2008.

Alice D. Bonner
Alice D. Bonner
Senior Judge, Superior Court of Fulton County

Order Prepared by:

DOFFERMYRE SHIELDS CANFIELD
KNOWLES & DEVINE, LLC

Robert Shields
Georgia Bar No. 642725
Everette L. Doffermyre
Georgia Bar No. 224750
Samuel W. Wethern
Georgia Bar No. 750415

1355 Peachtree Street, Suite 1600
Atlanta, Georgia 30309-3269
Phone: (404) 881-8900
Fax: (404) 881-3007

Attorneys for Plaintiffs

DISTRIBUTION LIST

Robert Shields
Everette L. Doffermyre
Samuel W. Wethern
Sheryl L. McCalla
DOFFERMYRE SHIELDS CANFIELD
KNOWLES & DEVINE, LLC
1355 Peachtree Street, Suite 1600
Atlanta, Georgia 30309-3269
Phone: (404) 881-8900
Fax: (404) 881-3007
Attorneys for Plaintiffs

James D. Meadows
Matthew B. Ames
Balch & Bingham LLP
30 Allen Plaza, Suite 700
30 Ivan Allen Jr. Boulevard, NW
Atlanta, Georgia 30308

and

Lee H. Zell
Balch & Bingham LLP
Post Office Box 306
Birmingham, AL 35201-0306
Attorneys for Defendants